

AUG 08 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : GOGERTY, Joseph Kevin
SERIAL NO : 10/781,403
FILED : February 18, 2004
TITLE : INBRED MAIZE LINE PH726

Grp/A.U. : 1638
Examiner : FOX, David T.
Conf. No. : 1872
Docket No. : P06281US01 - PHI 1331C

SUPPLEMENTAL AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As a follow-up to Applicant's Amendment filed on May 24, 2005, in response to the communication from the Examiner dated March 14, 2005, and in response to the recent Board of Appeal decisions in U.S. Patent applications 10/000,311; 09/771,938; and 09/772,520 and the applicability of the reasoning of those Board decisions to the claims and arguments in the present case. It is respectfully requested that this Supplemental Amendment be entered and made of record. The following amendments and remarks place the application in form for allowance. No new matter is presented, as such the Amendment is proper under 37 C.F.R. § 1.111. Applicant respectfully requests reconsideration.

08/16/2005 GDUCKETT 00000001 260084 10781403

01 FC:1201 400.00 DA
02 FC:1202 500.00 DA

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Date: 8/8/05


L. A. T. AKRAD

101 781,403

PTO/SB/06 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032

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PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number	
Substitute for Form PTO-875							
CLAIMS AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))					\$		\$
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =		*		X \$	=	X \$
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =		*		X \$	=	X \$
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$	=	+ \$	=
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL	
CLAIMS AS AMENDED - PART II							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	10	Minus	20	X \$	=	X \$	=
Independent (37 CFR 1.16(b))	3	Minus	3	X \$	=	X \$	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	+ \$	=
TOTAL ADD'L FEE						TOTAL ADD'L FEE	
AMENDMENT B							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	30	Minus	20	X \$	=	X \$	=
Independent (37 CFR 1.16(b))	5	Minus	3	X \$	=	X \$	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	+ \$	=
TOTAL ADD'L FEE						TOTAL ADD'L FEE	
AMENDMENT C							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	X \$	=	X \$	=
Independent (37 CFR 1.16(b))	*	Minus	***	X \$	=	X \$	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	+ \$	=
TOTAL ADD'L FEE						TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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